



## CALIFORNIA FILM COMMISSION

Many California cities, counties and special districts have adopted this ordinance to ensure uniform film ordinances and permit processes throughout the State. This ordinance also provides general guidance for ensuring film friendly policies in a community.

The California Film Commission (CFC) reviews all local ordinances and provides comments to government to ensure uniform procedures for issuing film permits. The CFC sees that only reasonable costs are charged to film companies for use of public property or services.

### MODEL FILMING ORDINANCE

#### I. DEFINITIONS:

- a. "Motion picture, television, still photography" shall mean and include all activity attendant to staging or shooting commercial motion pictures, television shows or programs, and commercials in any medium including film, tape or digital format.
- b. "Charitable films" shall mean commercials, motion pictures, television, videotapes, or still photography produced by a nonprofit organization, which qualifies under Section 501(c)(3) of the Internal Revenue Code as a charitable organization. No person, directly or indirectly, shall receive a profit from the marketing and production of the film or from showing the films, tapes, or photos.
- c. "News Media" shall mean the photographing, filming or videotaping for the purpose of spontaneous, unplanned television news broadcast or reporting for print media by reporters, photographers or cameramen.
- d. "Studio" shall mean a fixed place of business where filming activities (motion or still photography) are regularly conducted upon the premises.

#### II. PERMITS AND EXEMPTIONS:

- a. Permit required: No person shall use any public or private property, facility or residence for the purpose of taking motion pictures, television, or still photography without first applying for and receiving a permit from the officer designated by the city/county.

b. Exemptions:

- 1) News Media: The provisions of this Chapter shall not apply to or affect reporters, photographers or cameramen in the employ of a newspaper, news service, or similar entity engaged in on-the-spot print media, publishing or broadcasting, of news events concerning those persons, scenes or occurrences which are in the news and of general public interest.
- 2) Family Video: The filming or videotaping of motion pictures solely for private-family use.
- 3) Studio Filming: Filming Activities (motion or still photography) conducted at a studio.

c. Exempt but requires a permit: Charitable Films: Projects that qualify under Section 501(c)(3) of the Internal Revenue Code.

III. RULES AND REGULATIONS:

Rules: The designated city/county officer is hereby authorized and directed to promulgate rules and regulations, subject to approval by resolution of the Council, governing the form, time and location of any film activity set forth within the city/county. He/She shall also provide for the issuance of permits. The rules and regulations shall be based upon the following criteria:

1. The health and safety of all persons;
2. Mitigation of disruption to all persons within the affected area;
3. The safety of property within the city/county; and
4. Traffic congestion at particular locations within the city/county.

IV. APPLICANTS AND ISSUANCE:

a. Issuing Authority: The issuing authority shall be the city/county designee.

b. Applications: The following information shall be included in the application:

1. The representative of the property, the address and of the place at which the activity is to be conducted;
2. The specific location at such address or place;
3. The inclusive hours and dates such activity will occur;

4. A general statement of the character or nature of the proposed filming activity;
  5. The name, address and telephone number of the person or persons in charge of such filming activity; e.g. the location manager;
  6. The name, address, and telephone number of the production company conducting the activity;
  7. The exact number of personnel to be involved;
  8. Use of any animals or pyrotechnics; and
  9. The exact amount/type of vehicles/equipment to be involved.
- c. No use fees are required.
- d. Reimbursement for Personnel: The production company shall reimburse the city/county for any personnel provided to the company (e.g., police, fire, traffic) for the purpose of assisting the production.
- e. Change of Date: Upon the request of the applicant, the issuing authority shall have the power, upon a showing of good cause, to change the date for which the permit has been issued, provided established limitations are complied with in respect to time and location.

V. LIABILITY PROVISIONS:

- a. Liability Insurance: Before a permit is issued, a certificate of insurance will be required in an amount not exceeding \$1,000,000 naming the city/county as a coinsured for protection against claims of third persons for personal injuries, wrongful deaths, and property damage. The city/county officers and employees shall be named as additional insured. The certificate shall not be subject to cancellation or modification until after thirty days written notice to the city/county. A copy of the certificate will remain on file.
- b. Worker's Compensation Insurance: An applicant shall conform to all applicable Federal and State requirements for Worker's Compensation Insurance for all persons operating under a permit.
- c. Hold Harmless Agreement: An applicant shall execute a hold harmless agreement as provided by the city/county prior to the issuance of a permit under this ordinance.
- d. "Security Deposit": To ensure cleanup and restoration of the site, an applicant may be required to submit a refundable security deposit (amount to be

determined). Upon completion of filming and inspection of the site by the city/county, the security deposit may be returned to the applicant.

VI. VIOLATION:

If an applicant violates any provisions of this ordinance or a permit issued pursuant thereto, the city/county may cancel the permit.

**FILMING REGULATIONS**

1. Advance Notice for Approval: An applicant will be required to submit a permit request at least one working day prior to the date on which such person desires to conduct an activity for which a permit is required. If such activity interferes with traffic or involves potential public safety hazards, an application may be required at least two working days in advance.
2. Clean up: The permittee shall conduct operations in an orderly fashion with continuous attention to the storage of equipment not in use and the cleanup of trash and debris. The area used shall be cleaned of trash and debris upon completion of shooting at the scene and restored to the original condition before leaving the site.
3. Filming on Private Property: An applicant is required to obtain the property owner's permission, consent, and/or lease for use of property not owned or controlled by the city/county.
4. Flood Control: When filming in a flood control channel, an applicant must vacate channel when permit indicates because of water releases. Please note that when filming in or on flood control properties, the agency must be named as an additional insured.
5. Public Works Department (Road and Streets): If the applicant must park equipment, trucks, and/or cars in zones that will not permit it, temporary "No Parking" Signs must be posted. The applicant must also obtain permission to string cable across sidewalks, or from generator to service point.
6. Traffic Control: For filming that would impair traffic flow, an applicant must use California Highway Patrol (CHP), County Sheriff, or local law enforcement personnel and comply with all traffic control requirements deemed necessary.
  - a. An applicant shall furnish and install advance warning signs and any other traffic control devices in conformance with the Manual of Traffic Controls, State of California Department of Transportation. All appropriate safety precautions must be taken.
  - b. Traffic may be restricted to one 12-foot lane of traffic and/or stopped intermittently. The period of time that traffic may be restricted will be determined by the city/county, based on location and time of day.

- c. Traffic shall not be detoured across a double line without prior approval of the appropriate department representative.
  - d. Unless authorized by the city/county, the camera cars must be driven in the direction of traffic and must observe all traffic laws.
  - e. Any emergency roadwork or construction by city or county crews and/or private contractors, under permit or contract to the appropriate department, shall have priority over filming activities.
7. Parking Lots: When parking in a parking lot, an applicant may be billed according to the current rate schedule established by the city/county. In order to assure the safety of citizens in the surrounding community, access roads to beaches, which serve as emergency service roads, must never be blocked. No relocation, alteration, or moving of beach structures will be permitted without prior approval.
8. Notification: All residents and merchants within a 200 feet radius of the film location must receive notice of filming at least 24 hours prior to the first day of filming.